

15992 U.S. PTO  
06/27/03

SOFER & HAROUN, L.L.P.  
PATENT FILING TRANSMITTAL

ATTORNEY DOCKET NO:1043-003us

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

21904 U.S. PTO  
10/606571  
06/27/03

### PATENT FILING TRANSMITTAL

Transmitted herewith for filing is the Patent Application of: **Joseph Aferzon**

For: **System and Method for Guiding Surgical Tools During Surgical Procedures**

### TYPE OF FILING

This new patent application is for a(n):

- ☒ Utility
- ☐ Design
- ☐ Plant
- ☐ Divisional
- ☐ Continuation
- ☐ Continuation-in-part

### Benefit of a prior filed application

- ☒ This application claims the benefit of an earlier filed U.S. Patent Application No. 60/391,216, filed on June 26, 2002, under 35 U.S.C. 120.
- ☐ Please accord Applicant the benefit of the priority date of \_\_\_\_\_ to this case pursuant to 35 USC 119. Applicant's claim for priority is based on application \_\_\_\_\_ filed in \_\_\_\_\_ on that date.

### Filing under 37 CFR 1.53 (Utility) or 37 CFR 1.153 (Design)

- ☒ This is an application filed pursuant to 37 CFR 1.53 or 37 CFR 1.153, permitting receipt of a filing date upon filing of a specification, at least one claim and necessary drawings.
- ☒ In the event any parts of this application are incomplete, please treat this as a filing under 37 CFR 1.53 or 37 CFR 1.153.

### ENCLOSURES

Minimum requirements under 37 CFR 1.53(b) (Utility) or 37 CFR 1.153 (Design)

- ☒ 17 -page(s) of specification;
- ☒ 7 -page(s) of claims;

- ☒ 1 -page of abstract;  
☒ 8 sheets of informal drawing;  
☐ A un-executed Declaration, Power of Attorney & Petition or listing of inventors;  
and  
☒ A postcard for return to us as proof of receipt of the above documents.

plus

- ☐ An Assignment of the invention to \_\_\_ and an Assignment cover sheet;  
☐ Verified Statement Claiming Small Entity Status (37 CFR 1.9(f) and 1.27(b))  
☐ Form PTO-1449 (IDS) and copies of the references listed thereon;  
☐ A certified copy of \_\_\_\_\_ (country) patent application number (priority document).  
☐ A preliminary amendment;  
☐ Declaration of Biological Deposit;  
☐ Submission of sequence listing, computer readable copy and/or amendment relating thereto for biotechnology invention containing nucleotide and/or amino acid sequence;  
☐ An associate power of attorney;  
☐ Other.

#### DECLARATION OR OATH

The enclosed Declaration or Oath has been executed by:

- ☐ Inventor(s);  
☐ Legal representative of the inventors (37 CFR 1.42 or 1.43);  
☐ Joint inventor or person showing proprietary interest on behalf of an inventor who refused to sign or who cannot be reached and this is a petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is attached;  
☐ Has not been executed and is enclosed for the purposes of identifying the inventors.

#### INVENTORSHIP STATEMENT

The inventorship for all the claims in this application is:

- ☒ the same;  
☐ not the same and, as an explanation, a statement is/ will be submitted.

#### LANGUAGE

The application submitted herewith is:

- ☒ in English;  
☐ in not in English and in terms of 37 CFR 1.52(d) a verified translation is  
☐ attached  
☐ not attached.

### FEE CALCULATION

The filing fee has been calculated as shown below:

		OTHER THAN A			
		SMALL ENTITY		OR SMALL ENTITY	
BASIC FEE Design Patent		\$155		\$310	\$
BASIC FEE Utility Patent		\$375	\$	\$750	\$
EXTRA FEES		RATE	FEE	RATE	FEE
TOTAL CLAIMS	MINUS 20 =5	x 9 =	\$	x 18 =	
INDEP.CLAIMS	MINUS 3 =1	x 42=	\$	x 84=	
<input type="checkbox"/> MULTIPLE DEP.CLAIM		+ 130=	\$	+ 260 =	\$
<input type="checkbox"/> ASSIGNMENT		+ 40 =	\$	+ 40 =	\$
<input type="checkbox"/> RULE 53 SURCHARGE		+ 65 =	\$	+ 130 =	\$
TOTAL		\$ 0		\$ 0	

### FEE PAYMENT

- ☐ Attached are two checks in the sum of \$924.00 to cover the filing and, if applicable, the assignment fee.
- ☐ Please charge Account No.19-2825 the sum of \$\_\_\_\_\_.
- ☒ No Fee is enclosed.

### FEE DEFICIENCY

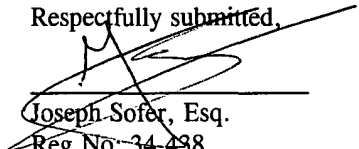
- ☐ The Commissioner is authorized to charge (or credit any overpayment) to deposit account No.19-2825:
- ☐ Any additional filing fees required under 37 CFR 1.16, except Rule 53 filings, which will be paid within the time permitted by PTOL 1533.
- ☐ Assignment Recordal fees.
- ☒ The filing fee and surcharge under 37 CFR 1.16, patent application processing fees under 37 CFR 1.17 and patent issue fees under 37 CFR 1.18 are intended to be paid by our firm as they arise. As no abandonment is intended by any inadvertent nonpayment of fees, the Commissioner is hereby authorized to charge payment of such fees as from time to time come due, if not paid prior to due date to our Deposit Account No.19-2825, order number 1043-003
- ☐ A duplicate copy of this sheet is enclosed.

Dated: 6/26/03

SOFER & HAROUN, L.L.P.

Address:317 Madison Avenue, Suite 910  
New York, New York 10017  
Telephone:(212) 697-2800  
Facsimile:(212) 697-3004

Respectfully submitted,

  
Joseph Sofer, Esq.  
Reg.No: 34,438

PATENT

Docket No. 1043-002US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Aferzon, Joseph  
Serial No. : Not yet assigned  
Filed : June 26, 2003  
For : **System and Method for Guiding Surgical Tools During Surgical Procedures**

**EXPRESS MAIL CERTIFICATE**

Express Mail Label No. EV310192440US

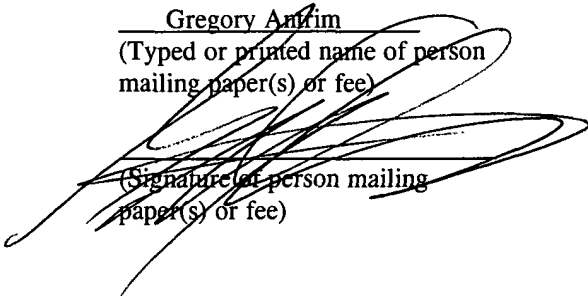
Date of Deposit June 26, 2003

I hereby certify that the following attached paper(s) or fee

- 1) Patent Application(24 sheets)
- 2) Informal Drawings (8 sheets)
- 3) Express Mail Certificate
- 4) Patent Transmittal
- 5) Return Postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gregory Antrim  
(Typed or printed name of person  
mailing paper(s) or fee)

  
(Signature of person mailing  
paper(s) or fee)

Mailing Address:  
SOFER & HAROUN, LLP  
317 Madison Avenue, Suite 910  
New York, New York 10017  
Tel:(212) 697-2800; fax (212) 697-3004